A Real Democracy for the 21st Century

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Introduction: The Paradox of a Democracy without Demos

Spanish representative democracy, enshrined in the Constitution of 1978, contains a fundamental paradox. It solemnly proclaims that national sovereignty resides in the Spanish people (Article 1.2 CE), but its institutional architecture materially restricts the exercise of that sovereignty to a ritual act every four years: the unrestricted delegation of power to closed lists of candidates, drawn up by party leaderships and mostly unknown to the electorate (Haskell, 2001). This tension, functional during the transition, has become unsustainable in the context of the 21st century, characterized by universal schooling, ubiquitous connectivity, the reversal of information asymmetry, and the development of distributed computational capabilities (Dahl, 1989; Habermas, 1996).

The data are eloquent. Abstention in the 2023 general elections reached 31.2%, rising to 34.8% in the 2024 European elections and to 42.6% in regional elections such as those in Andalusia in 2022. Trust in political parties, according to the CIS in 2016—and the trend continues—is barely 18%. The inequality of the vote, inherent in the provincial application of the D'Hondt system, generates a ratio of 4.2 to 1 between Ceuta and Barcelona: one vote in a small province is worth more than four times one in a large city. To this must be added systemic corruption facilitated by an institutional design that shields public officials through parliamentary immunity—1,237 investigated between 2010 and 2025—a Court of Auditors dependent on Parliament, and opaque financing that feeds plutocracy (Lessig, 2011).

This diagnosis does not reveal a cyclical crisis, but a structural obsolescence of the delegative model. The historical excuse of the "technical impossibility" of direct democracy has collapsed. Today, citizens have more capacity to access information in their pockets than any government of the 19th century. The literacy rate is 99.2%, smartphone penetration exceeds 96%, and blockchain technologies, biometrics, and explainable artificial intelligence enable secure,

frequent, and low-cost voting and deliberation processes (Ziewitz, 2016). The question is no longer whether direct democracy is possible, but how we design institutions to make it a reality without sacrificing guarantees.

Three cases demonstrate the viability of the model. Switzerland has held more than 600 referendums since 1995, with an average turnout of 45%, and enjoys political stability above the OECD average. Estonia implemented electronic voting in 2005; in 2023, 44% of votes were digital, at a cost per voter of €0.87 compared to €7.43 for in-person voting. Iceland, after the 2008 crisis, crowdsourced its new Constitution through the internet, increasing the legitimacy of the process by 28% (SINC Agency, 2023; Landemore, 2012).

This paper presents a comprehensive model of digital direct democracy, articulated in three parts corresponding to the three powers of the State—Legislative, Executive, and Judicial—offering a viable, fair, and efficient alternative for the 21st century. It is not a utopia, but a proposal for institutional engineering with a concrete and feasible transition plan.

Part I: Systemic Diagnosis of the Crisis of Representativeness

1. Closed Lists and Dissociation of Responsibility

The system of closed and blocked lists, regulated in Article 68.3 of the Constitution and in the LOREG, is the cornerstone of political irresponsibility. By voting for a bloc, the citizen does not choose specific people for specific functions. Candidate selection is based on party loyalty, not professional competence, and the distribution of ministerial portfolios responds to opaque internal quotas. The consequence is diffuse accountability: in the face of mismanagement, it is impossible to attribute individual responsibilities, and systematic non-compliance with electoral programs goes unpunished (Kaufmann, Büchi & Braun, 2007; Verge, 2007).

This phenomenon is not merely technical, but has profound implications for the quality of democracy. When citizens cannot identify whom to hold responsible for political decisions, the fundamental mechanism of democratic control—the vote as sanction or reward—is neutralized. Political parties become abstract entities that, protected by the opacity of closed lists, can systematically break their promises without fear of individualized electoral consequences. This lack of

accountability generates a vicious circle: citizens perceive that their vote does not really serve to change things, which fuels abstention, and this in turn reinforces the power of organized minorities within the parties, who are the ones who actually control the lists (Mair, 2013).

2. Inequality of the Vote and Political Balkanization

The application of the D'Hondt formula by provincial constituencies generates a mathematical distortion of the popular will. A party can obtain representation with a very different percentage of votes depending on the province. This not only violates the principle of equality of suffrage (Article 23.1 CE), but creates perverse incentives: the overrepresentation of peripheral nationalist parties, which survive thanks to "emptied Spain," gives them a disproportionate bargaining power in investiture and budget negotiations, fostering balkanization and the defense of particular territorial interests to the detriment of the general interest (Ostrom, 2011).

The distortion is especially serious in the Spanish context. The province of Soria, with fewer than 90,000 inhabitants, elects two deputies, while Barcelona, with more than 5.5 million, elects 32. This means that a vote in Soria has approximately 4.2 times more weight than a vote in Barcelona. This imbalance is not a mere arithmetic problem: it has concrete political consequences. Peripheral nationalist parties obtain representation far superior to their population weight, allowing them to condition the formation of governments and the approval of laws for the benefit of their particular interests, rather than acting as defenders of the general interest.

3. Plutocratic Capture and Institutional Control Deficits

The current system facilitates the capture of institutions by economic elites. The private financing of parties, opaque and dependent on large corporations, conditions the political agenda. The Court of Auditors, responsible for overseeing that financing, is appointed by Parliament itself, generating a structural conflict of interest. Parliamentary immunity creates a special legal status for more than twelve hundred officials, hindering the investigation and sanctioning of corruption. Finally, the abusive use of the decree-law allows the executive to legislate without parliamentary control, further concentrating power (Soler, 2001).

The political science literature has extensively documented the phenomenon of "captured democracy" (Lessig, 2011; Gilens, 2012). Empirical studies show that

public policies in representative democracies tend to align with the preferences of the most powerful economic groups, rather than with those of the average citizen. This discrepancy is not accidental: it is the result of an institutional design that allows economic interests to influence political decisions through campaign financing, lobbying, the revolving door, and opacity in decision-making. The proposed model addresses this problem structurally, eliminating the mechanisms that facilitate capture and transferring decision-making power to citizens.

4. Disaffection and Crisis of Legitimacy

The consequence of all this is a profound citizen disaffection. The perception that the vote is useless and that politicians form a closed and unpunished caste has eroded the legitimacy of the system. The CIS regression model identifies the "perception of useless vote" and "programmatic non-compliance" as the main explanatory factors of abstention and distrust (Resnick, 2007). This vicious circle—abstention, power of an organized minority, disconnected policies, more abstention—perpetuates the crisis.

This crisis of legitimacy has consequences that transcend the electoral. When citizens lose trust in institutions, the social contract that sustains democracy weakens. Disaffection manifests itself not only in abstention, but also in the rise of populist movements, polarization, and loss of social cohesion. Restoring democratic legitimacy requires, therefore, not only technical reforms, but a profound change in the relationship between citizens and their representatives.

Part II: Theoretical Foundations of the New Paradigm

1. The End of the Historical Excuse

Historically, representative democracy was justified as a logistical and epistemic necessity: it was argued that citizens lacked the time, information, and capacity to decide on complex matters, and that delegation to enlightened elites was the only viable form of government (Haskell, 2001). However, in the 21st century, that justification has completely disappeared. Universal schooling (99.2% in Spain), smartphone penetration (96%), and the development of technologies

such as blockchain, biometrics, and explainable artificial intelligence enable secure, frequent, and low-cost voting and deliberation processes (Ziewitz, 2016).

Political theory has evolved in parallel. Deliberative democracy, represented by authors such as Habermas (1996) and Dryzek (2000), has shown that the quality of deliberation—not just the number of votes—is essential for the legitimacy of collective decisions. Direct participation is not only possible, but can improve the quality of deliberation by incorporating a greater diversity of perspectives and by forcing arguments to be publicly justified. Digital technology, far from being an obstacle to deliberation, can facilitate it through platforms that allow asynchronous discussion, aggregation of arguments, and identification of consensus.

2. Digital Direct Democracy as a Response to Plutocracy

One of the most serious problems of contemporary representative democracy is the capture of institutions by concentrated economic interests (Lessig, 2011; Gilens, 2012). The private financing of parties, the revolving door between politics and large corporations, and opacity in decision-making generate a system that systematically benefits elites to the detriment of the general interest. Digital direct democracy, by transferring decision-making power to citizens, constitutes a structural shield against this capture. As Ostrom (2011) argues, direct participation of those affected in decision-making is the most effective mechanism for aligning institutional incentives with the common good.

Empirical evidence supports this thesis. Comparative studies show that countries with mechanisms of direct democracy (Switzerland, some US states) tend to have public policies more aligned with citizen preferences and less captured by particular interests (Matsusaka, 2004; Schiller, 2011). The possibility of submitting decisions to a referendum forces rulers to publicly justify their actions and discourages the adoption of policies that benefit powerful minorities at the expense of the majority.

3. Professional Competence as a Central Criterion

The proposed model not only democratizes access to positions, but raises standards of professional competence. Instead of relying on party loyalty or corporate selection mechanisms, rigorous filters of merit and capacity are introduced: verified curricula, knowledge tests, specialized training, and, in the case of the judicial branch, a mandatory hierarchical career. This approach, inspired by the theory of democratic meritocracy (Bell, 1972; Young, 1958),

guarantees that rulers and judges are not only elected, but are qualified to exercise their functions.

The combination of direct democracy and meritocracy may seem paradoxical, but in reality they are complementary. Direct democracy ensures that officials respond to the popular will, while merit filters guarantee that this will falls on competent people. The model thus avoids two opposing dangers: that of populist democracy, which elects anyone regardless of capacity, and that of technocracy, which concentrates power in the hands of experts not chosen by citizens.

Part III: Architecture of Real Democracy

1. Reform of the Legislative Branch

1.1. Open Lists for Specific Executive Positions

Closed lists are replaced by open lists in which the citizen votes individually for the person who will hold each position: president of the government, ministers by area, regional councilors, mayors, and councilors. Each candidacy must present a verified curriculum and a detailed program for their specific portfolio. The most voted candidate for each ministry becomes its head; the next five most voted candidates form the specialized opposition for that area.

Theoretical Foundation and Empirical Evidence

This system reinforces the relationship between professional competence and office, personalizes responsibility, and eliminates opacity in government formation. Comparative evidence shows that open lists increase the perception of accountability and reduce polarization (SINC Agency, 2023; Carey & Shugart, 1995). In countries that have implemented open list systems, such as Finland, voters tend to punish candidates who do not keep their promises and reward those who demonstrate competence, which raises the quality of representation.

Moreover, open lists have a disciplining effect on parties. Knowing that citizens can vote directly for individual candidates, parties are forced to select competent candidates rather than loyal ones, and to offer specific programs rather than generic promises. The intra-party competition generated by open

lists revitalizes the internal democracy of parties and reduces the power of leaderships.

1.2. Limitation of the Number of Candidacies per Party

Each party may only present a number of candidates equal to the number of available executive positions (presidency plus ministries). With this system, the lower house would go from 350 to approximately 147 deputies (21 from the government and 126 from the specialized opposition), representing an estimated saving of 400 million euros annually. Bipartisanship is reduced and the quality of debate is increased by concentrating it on specialists, rather than on professional politicians who often do not know the subjects they address.

Additional Advantages for Democratic Control

This limitation has an additional advantage that is often overlooked: the specialized opposition becomes a high-quality control mechanism. The five most voted candidates for each ministry not only form the opposition in a partisan sense, but become a technical opposition, capable of critically evaluating government policies from specialized knowledge. This transforms parliamentary dynamics, raising the level of debate and making it more difficult for the government to approve measures without rigorous scrutiny.

1.3. Single National Constituency

A single constituency is established for each level of government (national, regional, and local). "One Spaniard, one vote." Territorial distortions of the D'Hondt law are eliminated and, with them, territorial blackmail and discriminatory treatment in governance. The single constituency guarantees absolute equality of suffrage and eliminates the perverse incentives created by the overrepresentation of less populated territories.

Justification in Terms of Democratic Equality

This system, similar to that used in the Netherlands or Israel, ensures that each vote has the same value, regardless of place of residence. The single constituency is the only system that fully realizes the principle of equality of suffrage enshrined in Article 23.1 of the Constitution. Furthermore, it eliminates the blackmail power of peripheral nationalist parties, which in the current system can condition the governability of the country in defense of particular interests.

1.4. Ex Officio Territorial Senate

The Senate ceases to be an elected chamber and becomes a genuine forum for territorial representation. It will be composed of all presidents and councilors of the regional governments in office (approximately 150 to 200 senators). Senatorial elections are eliminated, saving 200 million euros annually in campaigns and another 50 million annually in salaries, and territorial representation is linked to those who already exercise real executive responsibility in the autonomous communities.

Constitutional and Political Foundation

This reform turns the Senate into what the Constitution already proclaims: an authentic Chamber of territorial representation, overcoming the current fiction. Ex officio representation has additional advantages: (a) it eliminates duplication of functions, since regional presidents are already democratically elected; (b) it guarantees that the Senate is composed of people with real experience in territorial government; (c) it strengthens the role of the autonomous communities in national decision-making; and (d) it reduces the clientelism associated with senatorial elections.

1.5. Detailed and Binding Electoral Programs

Each candidate for an executive position must present a program that functions as a political contract, specifying: diagnosis of the situation, SMART objectives (specific, measurable, achievable, relevant, and time-bound), concrete measures, detailed budgetary cost, and sources of financing. Non-compliance with the program without justified cause constitutes grounds for political responsibility and may be sanctioned through revocation referendum mechanisms.

Foundation and Political Justification

The requirement for binding programs responds to one of the main citizen complaints: the systematic non-compliance with electoral promises. In political theory, representative democracy functions as a contract between rulers and ruled (Pitkin, 1967). But a contract that is not fulfilled is an invalid contract. Programmatic binding restores the validity of that contract, by making compliance with promises enforceable and establishing sanction mechanisms for non-compliance.

1.6. Systematic Citizen Referendum

The citizen referendum is established as a regular mechanism for approving fundamental political decisions. They will be mandatory for: (a) approval of the General State Budget (annual ratification); (b) approval of organic laws; (c) any privatization process of public goods or services (requiring 60% support); (d) ratification of international treaties of special relevance.

Advantages of the Systematic Referendum as an Anti-Plutocratic Shield

The systematic referendum, inspired by the Swiss model, is the most effective mechanism to prevent the capture of public decisions by particular interests. When major decisions must be ratified by citizens, pressure groups lose their ability to influence legislation behind the people's backs. The qualified majority requirement (60%) for privatizations guarantees that public goods cannot be alienated without broad social consensus, thus protecting the common heritage from private speculation.

1.7. Continuous Popular Legislative Initiative Platforms

A permanent digital system of popular legislative initiative is established. Any citizen or group can present a legislative proposal; if it reaches a minimum number of supports (for example, 25% of the electoral roll), it is submitted to a citizen referendum. This system, inspired by platforms such as ManaBalss in Latvia, has proven to be the most effective digital democracy mechanism of its kind.

Foundation in the Democratization of Legislative Power

The popular legislative initiative breaks the legislative monopoly of parties. In the current system, the capacity to propose laws is reserved for the government, the Congress, and the Senate, which gives political elites almost absolute control over the legislative agenda. The popular initiative returns to citizens the power to propose and submit to vote the laws they consider necessary, thus democratizing the legislative process. The requirement of a high threshold (25%) guarantees that proposals have significant social support, avoiding system saturation.

1.8. Compulsory Voting as Civic Responsibility

Voting is conceived not only as a right, but as an inescapable civic duty in a mature democracy. A hybrid compulsory voting system is implemented with progressive incentives and disincentives. The first omission carries a reminder; the second, a symbolic fine of 1 to 5 euros destined for civic education

programs. Tax incentives (IRPF deductions) are established for continued participation. Exemptions for disability, prolonged residence abroad, or for duly accredited reasons of conscience.

Empirical Evidence and Political Justification

The experience of countries such as Australia (participation >90%) or Brazil demonstrates that this system raises democratic quality without restricting freedom (Lijphart, 1997). Universal participation in the electoral process has beneficial effects: (a) it guarantees that public officials truly represent the whole society, not just the most mobilized citizens; (b) it reduces the influence of interest groups that can mobilize their bases; (c) it strengthens the legitimacy of political decisions; (d) it fosters civic culture and commitment to public affairs. Symbolic fines, far from being coercive, function as a reminder of civic duty.

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2. Reform of the Executive Branch

2.1. Direct Election through Open Lists

The President of the Government and the ministers are directly elected by citizens through open lists, rather than being appointed by Parliament or by the president. Each candidate must present a verified curriculum and a detailed program for their specific portfolio.

This system eliminates opacity in government formation and guarantees that ministers are elected for their professional competence, not their party loyalty. Direct election of the executive, which already exists in numerous democracies (such as the US or France), is combined here with individualized election of ministers, which constitutes an innovation. This innovation responds to the recurring criticism that the "government of the best" becomes the "government of the loyal." By allowing citizens to vote directly for ministers, it is guaranteed that professional competence is the main selection criterion.

2.2. Binding Programs and Compliance Control

The electoral programs of executive candidates are binding. An independent monitoring commission is created to evaluate compliance with programmatic objectives and publishes quarterly reports. Serious and unjustified non-

compliance may lead to a revocation referendum, which allows citizens to remove an official before the end of their term.

Foundation in Democratic Accountability

The revocation referendum is the most powerful accountability mechanism in a democracy. It allows citizens not only to elect their rulers, but also to remove them when they break their promises. This instrument, existing in several US states and some European democracies, has a deterrent effect on rulers: knowing that they can be recalled, they are forced to comply with their programs and act responsibly. The monitoring commission, with its quarterly reports, provides citizens with the necessary information to exercise this control.

2.3. Term Limits and Deprofessionalization of Politics

To prevent the consolidation of a political caste disconnected from social reality, the following are established: (a) maximum limit of eight years in the same type of office (two consecutive terms); (b) limit of twelve years total in representative positions; (c) pensions and compensation of public officials are equated to those of qualified public sector professionals with extraordinary responsibilities, such as judges or specialist doctors.

Justification and Expected Effects

This measure breaks the cycle of professionalization of politics that turns rulers into an elite separated from citizens. The professionalization of politics, documented by authors such as Mair (2013) or Crouch (2004), has negative effects: professional politicians lose contact with social reality, develop an internal logic that prioritizes the survival of the system over the common good, and become a caste that lives outside the norms that govern ordinary citizens. Term limits and equalization of remuneration are, therefore, necessary measures to "deprofessionalize" politics and return it to its function of public service.

2.4. Elimination of Legal and Economic Privileges

Parliamentary immunity for all public officials is eliminated; they will be tried by ordinary courts. Donations from companies and associations to political parties are prohibited, limiting financing to individual and public contributions. The obligation to make the assets of elected officials public is established and the compatibility of positions with any other economic activity is prohibited, except in small municipalities.

Shield Against Corruption and Plutocracy

These measures guarantee that rulers are subject to the same laws and cannot benefit from their position to obtain economic advantages. The elimination of parliamentary immunity is especially relevant: in the current system, more than 1,200 public officials enjoy a special legal status that hinders the investigation of corruption crimes. This impunity generates a perverse incentive for corruption. The prohibition of business donations, on the other hand, cuts at the root the influence of money in politics, eliminating the main avenue of plutocratic capture.

2.5. Integration of the Court of Auditors into the Treasury

The Court of Auditors is abolished as a separate and partisan body, and its functions are integrated into the Ministry of Finance (or into an independent technical agency attached to it). The auditing of party accounts and public management will be carried out with the same standards of transparency and rigor as general tax inspection. Reports will be public and accessible in real time, putting an end to partisan self-control.

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3. Reform of the Judicial Branch

3.1. Guiding Principles of Judicial Selection

The proposed judicial selection model is based on seven principles: (1) mandatory hierarchical judicial career, (2) accredited professional merit, (3) specific training, (4) radical transparency, (5) democratic control, (6) renewal and responsibility, and (7) technological accessibility. These principles guarantee that judges and magistrates are chosen for their technical competence and democratic legitimacy, not for political or corporate affinities.

3.2. Hierarchical Judicial Career as a Quality Filter

The model establishes a mandatory and progressive judicial career. Judges must advance from courts of first instance to provincial courts, from there to the Supreme Court, and finally to the Constitutional Court. No one may access a superior court without having previously served in the immediately lower instance.

Theoretical and Comparative Justification

This principle, absent in the current Spanish system, is essential to ensure that magistrates of the Supreme Court and the Constitutional Court know judicial reality from its most basic levels. The requirement that Supreme Court magistrates have previously served in lower instances guarantees that: (1) they know the reality of the courts of first instance, where the majority of cases that later reach the Supreme Court are processed; (2) they have developed a practical and not merely theoretical vision of Law; (3) they understand the difficulties and limitations of lower courts when issuing rulings; and (4) they bring a perspective that only direct experience in all instances can provide.

This hierarchical progression is not a mere formality, but a quality filter and judicial wisdom that distinguishes judges who have traveled the entire path from those who access high courts directly without proper experience. Similar systems exist in Germany and France, where the judicial career is structured hierarchically.

Progression Requirements:

- **Court of First Instance:** passing competitive examination + MHJE (5-8 years).
- **Provincial Court:** 5 years in court of first instance (5-8 years).
- **High Court of Justice:** 5 years in Provincial Court (5-8 years).
- **Supreme Court:** 10 years of accumulated judicial experience, having served in Courts of First Instance and Provincial Courts.
- **Constitutional Court:** having previously served as a magistrate of the Supreme Court.

3.3. Selection Process in Detail

The selection process consists of several phases that combine merit control, specialized training, professional legitimization, and democratic ratification:

- **Historical filter:** cross-checking databases with records of positions in dictatorships, to exclude collaborators of authoritarian regimes. This measure, essential in democracies with a dictatorial past such as Spain, guarantees the democratic purity of the judicial branch.
- **Application:** presentation of verified curriculum + endorsements (5) + signatures (0.5% of the professional roll).
- **Merit verification:** technical commission reviews curricula and relevant rulings.
- **Knowledge test:** 100-question test (minimum score 70).

- **Judicial Qualification Master's (MHJE)** of 2 years (1,500 hours): ethics, writing, simulations, psychology, supervised practice.
- **Hierarchical career:** practice in lower instances for a minimum of 5 years before applying for Provincial Court, and 10 years before the Supreme Court.
- **Professional vote:** open lists (up to 3 candidates) among 155,000 professionals (judges, prosecutors, active and recently retired lawyers).
- **Parliamentary ratification:** public vote of deputies and senators (open lists, simple majority). The 3 most voted are appointed.

This system combines professional endorsement with political transparency, eliminates party quotas, and makes visible the plural support each magistrate receives. The publicity of parliamentary votes guarantees that electors can scrutinize their representatives.

3.4. Single Digital Platform

The platform, developed by the State, integrates biometric identification and a single census, AI advice (automatic curriculum comparator, impact simulator, translation, and accessibility), digital voting with blockchain technology and verifiable ballot, and accountability through the publication of parliamentary votes with public justification. This platform, inspired by experiences such as Taiwan's (95% citizen satisfaction), levels media inequalities and promotes autonomy of judgment.

Part IV: Feasibility Analysis and Structural Advantages

1. Economic Advantages: Savings and Efficiency

The proposed model generates an estimated structural saving of 940 million euros annually, which can be allocated to improving public services, reducing debt, or investing in innovation. This saving comes from:

- **Electronic voting (vs. in-person):** reduces logistical, personnel, and electoral material costs by approximately 170 million euros annually.
- **Ex officio Senate:** eliminates senatorial elections (saving 200 million in campaigns) and senators' remuneration (50 million annually).

- **Reduction of Parliament (350→147 seats):** eliminates 203 seats, with an estimated saving of 400 million in salaries, allowances, and advisory services.
- **Elimination of postal voting and electoral logistics:** reduces administrative and management expenses by 120 million.

Long-Term Efficiency Analysis

In addition to direct savings, the model generates long-term efficiencies: the reduction in the number of public officials decreases clientelism and waste; digitalization streamlines procedures and reduces management times; the elimination of immunity and privileges reduces the costs associated with corruption. The cost per voter in the integrated model is reduced from €7.43 to €0.38-0.60, thanks to digitalization and the elimination of manual processes. This efficiency is not only quantitative, but also qualitative: streamlining electoral processes and reducing bureaucracy frees up resources for more productive purposes.

2. Professional Competence: Merit and Capacity as Central Criteria

The model raises standards of professional competence in all three powers:

- **In the Legislative and Executive:** candidates must present verified curricula, detailed programs, and pass knowledge tests. Direct election through open lists allows citizens to select the most qualified professionals, rather than career politicians. The specialized opposition, composed of the five most voted candidates for each ministry, guarantees a technical scrutiny of government policies.
- **In the Judicial:** the mandatory hierarchical career, the requirement of previous experience (10 years, with 5 consecutive), the 2-year MHJE, and knowledge tests guarantee that only the most competent judges access higher courts. The historical filter ensures that those who collaborated with authoritarian regimes cannot access the judiciary.

This meritocratic approach, inspired by Rawls' theory of justice as fairness (1971) and Lessig's critique of plutocracy (2011), ensures that public offices are occupied by the most capable, not the most connected. The combination of merit and democratic legitimacy is the best guarantee that power is exercised with competence and responsibility.

3. Shield Against Power Groups and Influence

The designed model constitutes a structural mechanism to resist capture by economic and party elites. This shield operates on four levels:

Level 1: Financing and Transparency

Donations from companies and associations are prohibited, limiting financing to individual and public contributions. The partisan Court of Auditors is eliminated and integrated into the Treasury with tax inspection standards. This measure cuts at the root the main avenue of influence of money in politics.

Level 2: Accountability

Parliamentary immunity is eliminated, so that all public officials are tried by ordinary courts. Asset publicity of elected officials makes illicit enrichment and the revolving door difficult. Public parliamentary voting allows electors to scrutinize the behavior of their representatives.

Level 3: Direct Participation

Binding referendums on major economic and political decisions prevent pressure groups from imposing their interests behind the people's backs. Popular legislative initiative breaks the legislative monopoly of parties. The revocation referendum allows the removal of rulers who break their promises.

Level 4: Institutional Design

The single constituency eliminates the blackmail power of nationalist parties. The ex officio Senate strengthens territorial representation without duplicating costs. Term limits and the deprofessionalization of politics prevent the consolidation of a caste separated from citizens.

These measures, combined, create an institutional ecosystem resistant to plutocracy and clientelism, aligning the incentives of rulers with the general interest.

Part V: Institutional Transition Strategy (2027-2029)

The implementation of the model must be gradual to guarantee its success and to assimilate institutional and cultural changes.

Phase I (2027 - Municipal and Regional Elections):

- Implementation of open lists for mayors and councilors.
- Launch of the political information platform.
- Implementation of the single regional and local constituency, and the hybrid voting system (digital and in-person) in all municipalities and communities.

Phase II (2029 - General Elections):

- Full application of the model at the national level: open lists for all positions, single national constituency, new ex officio Senate, and binding referendum on the General State Budget.
- Full institutionalization of the systematic referendum system and entry into force of compulsory voting with incentives and sanctions.

This process requires an Organic Law of Digital Democratic Transition, which must be approved by absolute majority and, preferably, ratified in a referendum. Gradualness is key to allow the adaptation of citizens and institutions, and to minimize the risks of disruption.

Part VI: Risks and Countermeasures

The proposed model, like any major institutional reform, entails risks that must be explicitly addressed:

Risk	Countermeasure
Digital manipulation and cyberattacks	Public blockchain architecture, independent audits, and permanent coexistence of in-person voting as backup.

Risk	Countermeasure
Participatory fatigue	Design that prioritizes quality over quantity of consultations, delegation of vote to trusted experts, and use of AI to summarize information.
Digital divide	Permanent hybrid transition, mandatory digital literacy in the education system, and personalized support in polling stations.
Elite resistance	Gradual transition strategy by phases and citizen mobilization around an organic law of digital democratic transition.
Politicization of Parliament in judicial selection	Public and justified parliamentary voting; electors scrutinize.
Professional corporatism in justice	Parliament can correct professional selection; merit filters and master's degree.
Blockage of judicial career due to lack of positions	Automatic promotion system by seniority and merit, with guaranteed positions at each level.
Algorithmic bias	Auditable algorithms, open source, human supervision.

Conclusions

Spanish representative democracy has exhausted its historical cycle. Its structural failures—closed lists, inequality of the vote, plutocratic capture, and control deficits—have generated a crisis of legitimacy that cannot be resolved with cosmetic reforms. This paper has presented a comprehensive model of digital direct democracy, articulated in three parts corresponding to the three powers of the State, offering a viable, fair, and efficient alternative for the 21st century.

In the **Legislative Branch**, the model proposes open lists, single constituency, ex officio territorial Senate, systematic referendums, continuous popular legislative initiative, and compulsory voting. In the **Executive Branch**, direct election through open lists, binding programs, term limits, elimination of privileges, and integration of the Court of Auditors into the Treasury. In the **Judicial Branch**, selection by merit, mandatory hierarchical career, specialized training, historical filter, democratic control, and radical transparency.

Supported by mature technologies and evidence from successful democracies such as Switzerland and Estonia, the proposed model restores real popular sovereignty. It turns the citizen into a permanent, informed, and responsible political agent; aligns institutional incentives with the general interest; and puts an end to the impunity and opacity of elites. It is not a utopia, but a proposal for institutional engineering with a concrete and feasible transition plan.

The question is no longer whether we can afford this system, but whether we can afford not to do so. The cost of citizen distrust, systemic corruption, and inefficiency is unsustainable. Democracy, to be real, must also be direct, digital, meritocratic, and transparent.

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